

REMARKS

The Office Action dated January 9, 2009, and the Advisory Action dated June 12, 2009, have been received and carefully noted. Claims 4-20 are pending in this application. By this Amendment, claims 4-19 are amended for clarification purposes only and claim 20 is added. No new matter has been added. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 4-19 under 35 U.S.C. §102(b) as being anticipated by Roder et al (U.S. Patent No. 3,500,702). The rejection is respectfully traversed.

The current application claims an accelerator pedal that includes a stopper member, a pad member, a stopper fitting section on the pad member and including nails fitted into the stopper member and supporting plates connecting the pad member and the nails, nail catch sections provided in the stopper member and against which the nails are hooked, a hinge section provided connecting the pad member and the stopper fitting section, wherein the nails are hooked against the nail catch sections, and a backup plate is provided against which the supporting plates abut, as recited in amended claim 4.

The Office Action associates Roder's elements 21 and 21' to the claimed nails, the connecting part 16 to the claimed stopper member, the engagement surface 23 to the claimed nail catch sections, the thin web 11 to the claimed hinge section, and the connecting part 13 to the claimed stopper fitting section (Office Action, page 2, lines 5-11).

However, a closer examination of Roder reveals that elements 21 and 21' are abutment edges, not nails, as alleged in the Office Action. In fact, Roder does not teach anywhere the presence of nails, or of nails that are part of a stopper fitting section. The edge 21' can be placed into a disengaging or release position during the assembly of the drive pedal (Col. 3, lines 5-9), and the abutment edge 21 receives the overhanging portion 25 that is abutting against the part 22 (Col. 3, lines 15-19). However, Roder does not teach that either edge 21 or 21' is fitted into any other part. These edges merely abut against other parts of Roder's foot pedal, but are not fitted in any other part such as in a stopper member. The abutment edges 21 and 21' are not fitted into the connecting part 16, which the Office Action associates to the claimed stopper member. Thus, Roder fails to teach nails fitted into the stopper member, as recited in amended claim 4.

The engagement surface 23 of Roder, which is associated by the Office Action to the claimed nail catch sections, is not configured so that the edges 21 and 21' are hooked because the surface 23 merely abuts the edges 21 and 21'. The surface 23 also does not receive any nails. Thus, Roder fails to teach nail catch sections against which nails are hooked, as recited in amended claim 4.

The thin web 11, which the Office Action associates to the claimed hinge section, does not connect the connecting part 16, which the Office Action associates to the claimed stopper member, because there is no contact whatsoever between the thin web 11 and the connecting part 16, as is clear from an observation of Fig. 1 of Roder.

Although the Office Action alleges the presence of supporting plates in Roder, Roder does not teach anywhere the presence of supporting plates, or of supporting

plates in which nails are fitted and that connect a pad member and a stopper fitting section, as recited in amended claim 4. Additionally, Roder fails to each a backup plate is provided against which the supporting plates abut, as recited in amended claim 4.

For at least the reasons above, Roder fails to disclose or suggest all the features of amended claim 4. As such, amended claim 4 is patentable over Roder. Claims 5-19, at least for their dependence on patentable claim 4, and for their added features, are also patentable over Roder. Claim 20 is also patentable for the same reasons. Accordingly, all the pending claims are patentable, and withdrawal of the rejection of the claims under 35 U.S.C. §102(b) is respectfully requested.

Should the Examiner determine that further action is necessary to place this application into better form for allowance, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event that any fees are due with respect to this paper, please charge Deposit Account No. 01-230 0, referencing Atty. Docket No. 106145-00083.

Respectfully submitted,



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